

Notice of Allowability

Application No.

09/433,135

Examiner

Edward R. Cosimano

Applicant(s)

SAVAGE ET AL.

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to the amendment filed May 13, 2003.
2. ☒ The allowed claim(s) is/are 1-21 and 36-42.
3. ☐ The drawings filed on _____ are accepted by the Examiner.
4. ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) ☒ All b) ☐ Some* c) ☐ None of the:
 1. ☒ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).
- * Certified copies not received: _____.
5. ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
 - (a) ☐ The translation of the foreign language provisional application has been received.
6. ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application. **THIS THREE-MONTH PERIOD IS NOT EXTENDABLE**

7. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
8. ☒ CORRECTED DRAWINGS must be submitted.
 - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
 - 1) ☐ hereto or 2) ☐ to Paper No. _____.
 - (b) ☒ including changes required by the proposed drawing correction filed 08 July 2002, which has been approved by the Examiner.
 - (c) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No. _____.

Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet.

9. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

- | | |
|--|---|
| 1 <input type="checkbox"/> Notice of References Cited (PTO-892) | 2 <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3 <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 4 <input type="checkbox"/> Interview Summary (PTO-413), Paper No. _____. |
| 5 <input type="checkbox"/> Information Disclosure Statements (PTO-1449), Paper No. _____. | 6 <input checked="" type="checkbox"/> Examiner's Amendment/Comment |
| 7 <input type="checkbox"/> Examiner's Comment Regarding Requirement for Deposit of Biological Material | 8 <input checked="" type="checkbox"/> Examiner's Statement of Reasons for Allowance |
| | 9 <input type="checkbox"/> Other |

1. Applicant should note the changes to patent practice and procedure:
 - A) effective December 01, 1997 as published in the Federal Register, Vol 62, No. 197, Friday October 10, 1997; and
 - B) effective November 07, 2000 as published in the Federal Register, Vol 65, No. 54603, September 08, 2000.
2. The specification and drawings have not been checked to the extent necessary to determine the presence of all possible minor errors. Applicant's cooperation is requested in correcting any errors of which applicant may become aware in the specification or drawings. Applicant should note the requirements of 37 CFR § 1.74, § 1.75, § 1.84(o,p(5)), § 1.121(a)-1.121(f) & § 1.121(h)-1.121(i).
3. The following is an Examiner's Statement of Reasons for Allowance:
 - A) the prior art discloses for example;
 - (1) either Fukatsu (GB 21133392 or 4,593,183) or Do et al (6,061,666), which disclose a transaction machine, such as an automated teller machine (ATM), that provides audible operating instructions in natural speech/voice/language to authorized operators of the transaction machine in the natural language/speech/voice selected by the operator; or
 - (2) Johnstone et al (4,462,080), which discloses in 1984 the desirability of using audible speech to provide operating instructions to an operator of a machine and to receive commands for operating the machine from the operator; or
 - (3) Bennett (5,878,395), which discloses the desirability of providing hand free operation of a device by using visual and using audible speech to provide operating instructions to an operator while accepting either manual or audible commands from the operating of the device.
 - B) however, in regard to claims 1 & 6 the prior art does not teach or suggest providing audible operating instructions in natural speech/voice/language to an operator while accepting both manual input and natural speech/voice/language

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commands/instructions from the operator in order to control a dispensing operation. Claims 2-5 & 7-10 are allowable for the same reason.

C) however, in regard to claims 11, 17, 36 & 40 the prior art does not teach or suggest providing audible operating instructions in natural speech/voice/language to an operator while accepting only natural speech/voice/language commands/instructions from the operator in order to control a dispensing operation. Claims 12-16, 18-21, 37, 38, 41 & 42 are allowable for the same reason.

D) however, in regard to claim 39, the prior art does not teach or suggest providing audible operating instructions in natural speech/voice/language to an operator while accepting only natural speech/voice/language commands/instructions from the operator in order to control a dispensing operation with the additional functions of determining the location of the user and directed a microphone to the detected location of the user.

E) however, in regard to claims 25 & 31 the prior art does not teach or suggest providing audible operating instructions in natural speech/voice/language to an operator while accepting only natural speech/voice/language commands/instructions from the operator in order to control a dispensing operation. Claims 26, 27, 32 & 33 are allowable for the same reason.

3.1 Any comments considered necessary by applicant must be submitted no later than the payment of the Issue Fee and, to avoid processing delays, should preferably **accompany** the Issue Fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance.".

4. Response to applicant's arguments.

4.1 All rejections and objections of the previous Office action not repeated or modified and repeated here in have been over come by applicant's last response.

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5. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Edward Cosimano whose telephone number is (703) 305-9783. The examiner can normally be reached Monday through Thursday from 7:30am to 6:00pm. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John Weiss, can be reached on (703)-308-2702. Any inquiry of a general nature or relating to the status of this application should be directed to the Group receptionist whose telephone number is (703) 308-1113.

5.1 The fax phone number for UNOFFICIAL/DRAFT FAXES is (703) 746-7240.

5.2 The fax phone number for OFFICIAL FAXES is (703) 305-7687.

5.3 The fax phone number for AFTER FINAL FAXES is (703) 308-3691.

06/28/03


Edward R. Cosimano
Primary Examiner A.U. 3629